IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3256 of 2007

CRIME NO.104/2007 OF VELLIKULANGARA POLICE STATION

.....

ACCUSED NO.1:

PAILIKUTTY, AGED 50,
S/O.DEVASSYKUTTY, PAYAPPAN HOUSE,
KUTTICHIRA DESOM, THRISSUR-DISTRICT.

BY ADV. SRI.M.H.HANIL KUMAR

RESPONDENTS: COMPLAINANT/STATE:

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1. SUB INSPECTOR OF POLICE,
VELLIKULANGARA POLICE STATION,
THRISSUR-DIST.,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM,
COCHIN-682031.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECURTOR,
HIGH COURT OF KERALA, ERNAKULAM,
COCHIN 682031.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 3256/2007

Dated this 1st day of June, 2007

O R D E R

The petitioner who is the first accused in Crime No.104/2007 of Vellikulangara Police Station for an offence punishable under Section 8(2) of the Abkari Act for allegedly having been found in possession of four litres of illicit arrack on 3.5.2007 and who was arrested on the same day seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in two other crimes involving similar offence.

3. It is too early to accept the petitioner's contention that he has been falsely implicated in the case. Moreover, I am not satisfied that both the ground enumerated under Section 41A (b)(ii) of the Abkari Act are present in this case so as to justify his release on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,
JUDGE

mrcs